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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-sixth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Ms. Chavez, Mrs. Koufa, Mrs. Gwanmesia and Ms. Palley:
draft resolution

Situation in Indonesia

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Geneva Conventions of August 1949 on the protection of war victims, and other relevant international human rights instruments,

Noting the reports of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1994/26 and Corr. 1 and 2), the Working Group on Arbitrary Detention (E/CN.4/1994/27), the Special Rapporteur on extrajudicial, summary, or arbitrary executions (E/CN.4/1994/7 and Add.1 and 2 and Corr.1 and 2), and the Special Rapporteur on torture or other forms of cruel, inhuman, or degrading punishment (E/CN.4/1994/31),

Reaffirming that all persons who commit or authorize violations of human rights or international humanitarian law are individually responsible for those violations,

Taking account of the progress report by the Special Rapporteur on the human rights dimensions of population transfer, including the implantation of settlers, Mr. A.S. Al-Khasawneh (E/CN.4/Sub.2/1994/18 and Corr.1) and the preliminary report by the Special Rapporteurs, Mr. Al-Khasawneh and Mr. R. Hatano (E/CN.4/Sub.2/1993/17 and Corr.1), which found that population transfer is, prima facie, unlawful and violates rights affirmed in human rights and humanitarian law,

1. Expresses its deepest concern at reports of continuing violations of human rights in West Papua, the Aceh region of Sumatra and the Moluccas;

2. Expresses its alarm at all repressive policies and practices directed against particular ethnic groups, and calls upon the Government of Indonesia to ensure the protection of the rights of all peoples and individuals regardless of their national or ethnic, religious or linguistic identity;

3. Condemns population transfer and settlement ("transmigration") in West Papua and other regions as a violation of the human rights of the peoples concerned;

4. Calls upon all Governments, specialized agencies and multilateral financial institutions to refrain from supporting, with financial or technical assistance, population transfer and settlement in the above regions;

5. Urges the Government of Indonesia to permit representatives of non-governmental organizations concerned with human rights and journalists to visit these regions freely;

6. Requests the High Commissioner for Human Rights to monitor the situation in West Papua, the Aceh region of Sumatra and the Moluccas and to report his observations to the Sub-Commission at its forty-seventh session.